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OFFICE OF PETITIONS

In re Application of :
Silver et al. :
Application No. 09/114,335 :
Filed: July 13, 1998 :
Attorney Docket No. C98-035 :
:

ON PETITION

This is a decision on the petition under 37 C.F.R. § 1.137(a), filed January 17, 2002, to revive the above-identified application.

The petition is **dismissed as moot**.

A petition to withdraw the holding of abandonment was previously filed on November 17, 2000. On February 21, 2003, a decision granting the petition was mailed to petitioner. Therefore, the instant petition is dismissed as moot and the Office will credit the \$110 petition fee to deposit account no. 03-2357.

The file is now being forwarded to the Office of Initial Patent Examination for consideration of the declaration filed on January 17, 2002, and for further processing.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (703) 306-5683.

Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions

Attached: Copy of February 21, 2003 decision from Office to petitioner



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY OF COMMERCE AND
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, DC 2023

February 21, 2003

Russ Weinzimmer
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In re application of:
Silver, et al DECISION ON PETITION
Serial No.: 09/114,335
Filed: July 13, 1998
For: METHOD FOR FAST, ROBUST, MULTI-DIMENSIONAL
PATTERN RECOGNITION

This is a decision on the petitions received on November 17, 2000, to withdraw the holding of abandonment in the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. 1.113 in timely manner to the Notice to File Missing Parts of Application mailed August 5, 1998. Which set a shortened statutory period for reply of two (2) months. Accordingly, this application became abandoned October 6, 1998. A notice of abandonment was mailed June 16, 1999.

On November 17, 2000, the office received a communication from the attorney of record. Enclosed was an acknowledgement that the attorney never received the Notice to File Missing Parts mailed August 5, 1998.

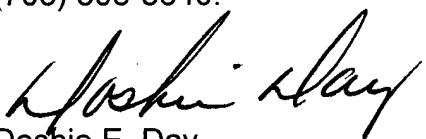
The evidence submitted is sufficient to establish that the petitioners never received the Notice to File Missing parts mailed August 5, 1998.

The petition is hereby GRANTED.

A new Notice to File Missing Parts is enclosed with this Decision setting forth a new response period of two months from the date of the notice.

The above application has been lost and is reconstructed for examination purposes. The office regrets any inconvenience this may have caused the client.

Telephone inquiries concerning this matter may be directed to Doshie E. Day at (703) 308-3640.



Doshie E. Day
Program Management Assistant
Office Initial Patent Examination